Exploitation of Children in Georgia

Summary Findings of Desktop Analysis and Stakeholder Interviews

IOM carried out this research in the framework of the project “Enhancing Counter-Trafficking Capacities in Georgia by Sustaining Inter-Agency Coordination” funded by the International Bureau for Narcotics and Law Enforcement Affairs (INL) of the US Department of State.
1. Introduction

From March to May 2019, the International Organization for Migration (IOM) carried out a research on the occurrence of child exploitation in Georgia. The objective of the research is to contribute to strengthening the capacities of Georgian law enforcement agencies to combat trafficking in children and enhance their coordination with social workers for the protection of trafficked children and other vulnerable minors, as well as to improve criminal investigations. Regularly, IOM comes across anecdotal information on various types of exploitation of children in Georgia, but documented information and hard evidence is difficult to obtain. Recently, the Georgian law enforcement bodies have made headway in combating this heinous crime and arrested people suspected of forcing children into begging. However, there is more child exploitation going on in Georgia than reaches the public eye and this report presents some insights.

2. Methodology

IOM focused its efforts on collecting information from two main sources, namely a desktop research of available literature and in-depth interviews with stakeholders. There are few publicly available publicly sources that shed light on several aspects of child exploitation. The UNICEF report from 2018 on begging of children and other activities of children living and working on the street is a good example of researching and documenting this phenomenon, which seems to be growing in Georgia, despite recent efforts of the Georgian authorities to deal with it. Otherwise, there is not much well-documented information available highlighting other, less visible manifestations of child exploitation.

In addition, IOM conducted 10 interviews with the main stakeholders in both governmental bodies and international and non-governmental organizations (NGOs). The selection of respondents took place based on the role of the state agencies as laid down in the country’s Action Plan to Take Measures against Trafficking in Human Beings (THB), whereas NGOs were approached based on their activities as service providers and their reputation as operating long-standing child protection programmes in Georgia. These interviews took place on the basis of a semi-structured questionnaire and were held in Tbilisi, Kutaisi and Batumi.

3. Main findings

Legal framework and institutional mechanisms

The majority of the interlocutors who IOM met over the course of this research agreed that the legislation needed to tackle child exploitation is broadly in place. The term ‘exploitation’ is clearly defined in Article 143-1 of the Criminal Code of Georgia and is broadly in line with international legal standards. The Law “On Combating Trafficking in Persons” also specifies the concept of exploitation and stipulates the functions of all government bodies tasked to contribute its share to the combat of THB.

However, the general consensus is that more efforts need to be dedicated to improving the implementation of those laws and to strengthen the capacities of the civil servants in the ministries concerned to deal with the challenges of child exploitation in an interagency format and, generally, in a more resolute fashion.

Manifestations of child exploitation in Georgia

Based on the information collected, child exploitation in Georgia can be divided into the following categories:

- a) Begging of children
- b) Sexual exploitation of minors
- c) Labour exploitation of minors

3a. Begging of children

All stakeholders interviewed for this survey are adamant that the vast majority of children, who beg on the street for long hours every day, day in day out, are victims of exploitation. NGO shelters accommodate children who used to beg and indicate that many of them were exposed to neglect by their parents or “caretakers”, or physical and psychological violence if they did not generate sufficient money. All NGOs interviewed stated that some exploiters use children under the age of 14 in petty crime and aggressive begging practices, taking into account that the Georgian law does not hold children under that age liable for crimes and misdemeanours that they commit.

Over the past few years, Georgian law enforcement has made some headway in investigating trafficking in children for begging by arresting parents or relatives of children who they forced to beg in the street. The most recent arrests of a mother and aunt of four children in Batumi and the exploiter of children in Tbilisi are the latest examples of increased focus by law enforcement on child exploitation in begging. It remains to be seen, however, whether the evidence to be presented in court will be rewarded by the judiciary in the form of a resounding conviction for trafficking in children. Annex 1 on page 5 of this report gives more insight into recently conducted criminal investigations on THB.

2 See https://police.ge/ge/politsiam-mati-deda-di-deida-daakava/12852

3 More information is available on: https://police.ge/politsiam-ararsutslovnites-treflinkis-braldebit-mshobeli-daakava/13121
The phenomenon of street begging is particularly visible in the summer season. According to child-care workers and NGOs interviewed, families with children travel from all over Georgia to Ajara and other touristic places to engage in begging. Unlike most local children begging on the street, children coming from other provinces often have no place to spend the night and sleep on the street.

IOM has noted with concern the involvement of foreign children in begging. As part of its targeted assistance to vulnerable migrants, IOM has come across families with children from Azerbaijan and Moldova who are often undocumented and live in squalid conditions in Tbilisi, Kutaisi and Batumi. Interviewed NGOs and the aforementioned UNICEF study confirm that approximately 20 to 25 per cent of children known to be begging in Georgia come from Azerbaijan. Service providers unanimously voice concern that this particular group of children do not make use of childcare services, even though those are freely available, and neither are interested in cooperating with authorities to regularize their identity documents.

Recently, as the Migration Department of the Ministry of Internal Affairs confirmed, Georgian law enforcement has started targeting the aggressive practices of street begging, citing concerns for public order and Georgia’s reputation as a tourism-friendly country. In case of undocumented families from abroad, the Georgian immigration authorities have detained some individuals in the migrant detention centre, pending their identification, provision of travel documents and subsequent removal from the country.

3b. Sexual exploitation of minors
In recent years, several police investigations have focused on instances of exploitation of minors in prostitution and using children for the production and sale of pornographic material. In September 2019, two men from Australia and the USA were arrested on suspicion of enticing young girls to pose as models, but allegedly pictures made were of pornographic nature. In January 2020, three persons were arrested for exploiting a 15-year-old girl in forced prostitution.

NGOs interviewed in the scope of this survey claim that there are more cases of sexual exploitation that do not get investigated and are not known to the wider public. This may concern the forcing of girls by their family members or relatives into having sexual intercourse with men in exchange of money. NGOs also state that they are aware of regular instances of under-age girls involved in street prostitution or serving as escorts or entertainment girls in nightclubs in the bigger urban areas, especially in the summer season.

3c. Labour exploitation of minors
This study has come across a number of manifestations of child labour and labour exploitation in Georgia that, for the sake of presentation, have been grouped as follows:
- Domestic servitude
- Collection of scrap metal
- Labour migration to Turkey
- Street vending

3c.1 Domestic servitude – parents obliging children to take care of siblings
NGOs interviewed for this survey highlighted the problem when parents of many children expect and/or oblige their eldest child or children to take care of the younger siblings, while the parents go about their business elsewhere. In some instances, as NGOs cited, this led to atrocious conditions of children living in dirty homes with no access to decent food. Social workers interviewed for this study highlighted one instance when they managed to have the neglected children taken away from their home environment and initiate proceedings to have parental rights revoked.

Except the neglect of children and the placing of heavy physical and psychological burdens on their shoulders, another problem is the extended absence of children from schools. Social workers who cooperated with this research indicated that parents can easily avoid the scrutiny from school administrators by having their child(ren) registered at a school in another municipality or pretend they live on a different residential address.

3c.2 Collection of scrap metal
Another lesser known form of child labour is the engagement of children in the collection of scrap metal. Several NGOs that IOM interviewed over the course of this survey voiced their concern over this form of child labour and mentioned one instance when a child fell in a deep pit on a construction site while collecting scrap metal. Unfortunately, the child died on the spot.

It is not clear from the initial interviews held whether this form of child labour is organized as a family business, or whether professional scrap metal vendors recruit children to assist them in their informal businesses.

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5 See https://police.ge/ge/shinagan-saqmeta-saministrom-ararsultslovnis-trefikingis-braldebit-sami-piri-daalava/13244
3.c.3 Street vending
A popular method of generating money is to use children in the street vending of small items, such as church candles, icons, napkins as well as beverages, such as cold drinks and corn. In summertime, children can be seen touring the beaches around Batumi and sell their products to tourists. NGOs have cited serious concerns about the well-being of these children, including the physical strain of carrying a lot of goods on their backs in hot temperatures.

The mobile groups that some NGOs operate to extend assistance to children in a pro-active manner noted that, most often, children selling items on the street avoid interaction with the mobile groups. The NGOs interviewed assume that most of the children have come to Georgia from Azerbaijan and demonstrate the same type of evasive behavior as children begging on the street.

3.c.4 Labour migration to Turkey
Seasonal labour migration to Turkey is a common phenomenon across Georgia, but especially apparent in the border region of Ajara and adjacent Guria. For many families their regular travel to Turkey to find temporary employment in agricultural activities is probably an important source of their annual income. The video footage recently posted on the Internet by the Batumi-based news outlet “Batumelebi NetGazeti” gives a good impression of this type of seasonal labour and what it means for the Georgian migrants.

In many instances, especially during school holidays, children travel with their parents to Turkey and engage with them in their daily work activities. As described above, this may mean that children work in strenuous and possibly dangerous circumstances and during long hours day in, day out. In the cultural context, children helping out their parents to secure the family’s outcome is generally not perceived as problematic, not even if this means that children do not attend school. As a matter of fact, often at home children also support their parents in agricultural activities before they head out to school and after they come back.

4. Conclusions and Recommendations

Conclusions
Georgia is no exception to any other country when it concerns exploitation of children in various forms and manifestations. This survey has produced evidence of a number of forms of child exploitation, some of which are relatively well-documented and focus of previous and ongoing police investigations. Exploitation of children in prostitution and for the purpose of production of pornographic material has increasingly become the scope of criminal investigations, which is a positive development. However, there are other forms of child exploitation, in particular in begging and other forms of labour that continue to be a problem and that need to be targeted through multidisciplinary, well-coordinated action.

Recommendations
IOM wishes to formulate the following recommendations for concrete action by Georgia’s governmental bodies that would address current challenges and shortcomings in protecting the interests of children and combat trafficking in children:

• While progress has been made in acknowledging the problem of child exploitation taking place in Georgia, more efforts need to be invested in improving inter-agency coordination between the policy-making institutions in the Ministry of Justice, the law enforcement bodies, the Social Service Agency and also the Labour Inspectorate. Bilateral and multilateral cooperation mechanisms should be laid down on paper, preferably in the form of Memoranda of Understanding or other official documents.

• The absence of any kind of facilities in Batumi for children who require care and attention, such as a 24/7 shelter or day-care centre, is concerning and requires urgent action by the state and civil society alike. Financial and bureaucratic hurdles should not be a reason to deny access to crucial services for people most in need, children in particular. Action taken under this point should include finding innovative ways to strengthen foster care capacities in areas where there is a lack of such options.

• Education authorities are recommended to elaborate and implement more stringent procedures to enforce the regulations of school attendance.

• Authorities should alert the Social Service Agency (or any other relevant state agency with presence on the ground) to check the family situation of the child(ren) at home and take appropriate measures when required.

• More child-friendly solutions should be identified to deal with the problem of aggressive begging by foreign children. Holding them in a pre-deportation detention centre cannot be the solution to deal with this issue. Rather, such children should be accommodated in child-friendly environments, whereas the responsibility of their parents or “caretakers” should be investigated to establish indicators of trafficking in children or any other crime directed against these children. Training on

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6 See https://batumelebi.netgazeti.ge/news/225419/.
cultural awareness should be conducted for social workers to be more effective when offering services to children from varying cultural backgrounds.

- The Labour Inspectorate is advised to become involved in inspecting instances of child labour in economic sectors where this is known to occur and to build the risk of child labour into the criteria for selecting employment sites for regular as well as impromptu inspections. If required, the mandate of the Labour Inspectorate should be strengthened to secure a resolute response when instances of child labour have been identified.
- In this context, the authorities are also advised to collect statistics on the number of children working and living on the street or otherwise affected by exploitative practices, thus highlighting the need for urgent action to address gaps in Georgia’s service provision mechanisms.

Annex 1 – Statistics of Criminal Investigations

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